

guns were contradicted by their children. The study concluded that although many parents had warned their children about gun safety, there was still a significant possibility that they were misinformed about their children's actions with their guns.

Common sense tells us that when guns are secured, the risk of children injuring or killing themselves or others with a gun is significantly reduced. By passing legislation that would require that all handguns sold by a dealer come with a child safety device, such as a lock, a lock box, or technology built into the gun itself, we could significantly decrease the possibility of a child misusing a firearm. I urge my colleagues to take up and pass such sensible gun safety legislation.

#### REMEMBERING SEAN KENNEDY

Mr. SMITH. Mr. President, I rise today in remembrance of a young man whose life was cut short because of a tragic crime—a hate crime. I came to the Senate floor, 1 year ago today, to speak about a vicious attack that killed Sean Kennedy on May 16, 2007. He was just 20 years old. As I have done countless times in the past, I have again come to the floor to highlight the needless deaths of hate crimes' victims and the need to enact Federal hate crimes legislation.

Recently, I had the opportunity to speak to Sean Kennedy's mother Elke Kennedy. I had heard that Elke had read about her son in the CONGRESSIONAL RECORD and was grateful that someone had recognized his death and understood the need for hate crimes legislation. For every victim of a hate crime, many more family members and friends are impacted by the tragic loss. While I know the pain of losing a son, I can only imagine the grief Elke must have felt when someone took the life of her son simply for who he was. As a nation, what do we say to Elke and other family members who have lost a loved one to a hate crime? What salve do we have to offer them for their pain? I believe we could start by passing Federal hate crimes legislation to demonstrate our national commitment to ending bias-motivated crimes.

No parent should have to fear for their child's safety because of their sexual orientation and because our laws do not adequately protect them. It is the Government's first duty to defend its citizens, to defend them against the harms that come out of hate. Federal and State laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. Sean's death is an unfortunate reminder of this fact.

The Matthew Shepard Act would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can lessen the very

impact of hate on our society. Moreover, for parents like Elke Kennedy and Judy Shepard, Matthew's mother, it will finally prove that their sons' deaths were not in vain.

#### REFORMING THE FEDERAL HIRING PROCESS

Mr. AKAKA. Mr. President, I would like to speak today about the broken hiring process in the Federal Government and the need to recruit and retain the next generation of Federal employees.

The Federal Government is the largest employer in the United States, but every day talented people interested in Federal service are turned away at the door. Too many Federal agencies have built entry barriers for younger workers, invested too little in human resources professionals, done too little to recruit the right candidates, and invented an evaluation process that discourages qualified candidates. As a result, high-quality candidates are abandoning the Federal Government. The Federal Government has become the employer of the most persistent.

This problem was forcibly brought home at a hearing on May, 8, 2008, of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia entitled "From Candidates to Change Makers: Recruiting the Next Generation of Federal Employees," which I chair. The subcommittee heard testimony from the Office of Personnel Management, the Nuclear Regulatory Commission, the Merit Systems Protection Board, the Government Accountability Office, Federal employee unions, think tanks, a human resources consulting firm, and an expert in New Media marketing.

The Government Accountability Office's testimony pointed out the broad failures of agencies to address these issues and stated, "Studies by us and others have pointed to such problems as passive recruitment strategies, unclear job vacancy announcements, and imprecise candidate assessment tools. These problems put the Federal Government at a competitive disadvantage when acquiring talent."

The Office of Personnel Management OPM is supposed to be the leader in the Federal Government on personnel and human capital practices, but not enough is being done. OPM's answer is to offer a legislative proposal that would have the Federal Government rehire retired employees on a part-time or limited-time basis. This demonstrates a clear lack of focus on attracting the next generation of Federal workers and working to retain the current employees. OPM estimates that 30 percent of the Federal workforce—approximately 600,000 employees—will retire in the next 5 years. Rehiring former employees does not address the changing culture of job seekers.

Mr. Dan Solomon, the chief executive office of the marketing firm Virilion,

addressed the issue of developing recruitment strategies that are friendly to 25- to 35-year-old. Mr. Solomon laid out the challenge before Federal agencies in recruiting the next generation testifying, "younger people are a difficult group to reach and engage . . . bottom line: people looking for jobs are online and the government needs to be there to attract the best."

Reports and surveys from the Merit Systems Protection Board MSPB, the Partnership for Public Service, and the Council for Excellence in Government demonstrate that young people strongly desire to work in public service. Agencies need to meet young people where they are, and developing recruitment strategies, using online resources and streamlining the hiring process are essential to attracting the next generation of Federal employees. In the private sector, employers post jobs through many online venues and only require a resume and cover letter. Applying to the Federal Government should be accessible and easy.

There were many good suggestions made to improve the process. I believe that if OPM forced agencies to adopt those recommendations improvements would be made. For example, MSPB offered four sound recommendations that could significantly improve agencies' efforts if adopted. First, agencies should manage hiring as a critical business process, and not an administrative function that is relegated to the human resources staff. Second, agencies should evaluate their own internal hiring practices to identify barriers to high-quality, timely, and cost-effective hiring decisions. Third, employ rigorous assessment strategies that emphasize selection quality, not just cost and speed. Finally, agencies should implement sound marketing practices and better recruitment strategies, improve their vacancy announcements, and communicate more effectively with applicants.

Agencies can do this. The problem is not Congress. Since 2002, Congress has given agencies the flexibilities they need. Agencies no longer must rely on the rule of three or selecting only from the top three candidates who apply; they can use category ratings; and they can get direct hire authority from OPM. However, in many cases Federal agencies are not using these authorities. Neither is the competitive process the problem. The notion that merit system principles and veterans preference are barriers to hiring is wrong. These are good management practices that ensure agencies select qualified candidates and do not use discriminatory practices.

OPM has not done enough to force agencies to streamline their hiring processes and appeal to the next generation of employees. OPM developed the 45-day hiring model and Hiring Tool Kit to reduce the hiring time at agencies to 45 days and streamline internal processes. However, these have not reduced the number of complaints